

**West Stockbridge Planning Board**  
**Meeting Minutes**  
***Public Hearing to Consider a Citizens' Petition***  
**March 15th, 2022**  
***Via Zoom***

Dana opened the Public Hearing at 7:14 pm.

**Planning Board (PB) members present:** Dana Bixby, Chair, Ryan Beattie, Sue Coxon, Gunner Gudmundson and Andrew Fudge.

**Others present:** Kathleen Keresy (Select Board), Lori Rose, Seth Jenkins, (BRPC). Karen Kavanagh, Katy Bixby (Planning Board Assistant).

At approximately 7:10, Jon Piasecki and David Jadow joined. At approximately 7:50, Aaron Dubois joined.

The Chair read the Notice of the Public Hearing

***Public Hearing to consider a Citizens' Petition to amend Section 9.1, and other related sections, of the Zoning Bylaws. The proposed amendment would allow outdoor marijuana cultivation of up to the maximum area allowed by state regulation as well as marijuana product manufacturing in a renamed Marijuana Overlay District which will have the exact same boundaries as the existing Marijuana Retail Overlay District.***

The Chair explained that this Public Hearing was to consider a Citizens' Petition to add to the warrant for the Annual Town Meeting a proposal to amend allowed activities in the existing Marijuana Retail Overlay District.

Jon Piasecki, lead petitioner, gave background for the proposal. Jon is the owner/farmer of what he described as the "smallest pot farm in the state" in West Stockbridge. He characterized his business as going well, with no complaints from neighbors, and due to its small size was only modestly profitable. Despite the limited scale, he has garnered national attention for his work to adapt the plants to grow outdoors in the Northeast, which is significantly more eco-friendly than indoor grow operations.

Noting that Great Barrington had made approximately 7 million dollars in revenue from marijuana activities last year, Jon expressed hope that West Stockbridge could take advantage of this opportunity to expand marijuana cultivation and thus fees and tax revenues. Jon explained that not only could this revenue be put to use by the Town for public safety, or to fix up the fire station, that his expanded operation alone could employ 20-25 people (a notable increase over his current 7 part time employees).

Jon noted that he had been on the PB when the town created the Marijuana Retail Overlay District bylaws, noting that the PB had selected that land specifically because it is so remote. The district is 28 acres in total, but due to wetlands only 2 acres maximum could be devoted to cannabis cultivation.

Dana interjected, clarifying that proposal was to change the zoning generally, and this was not a special permit hearing for a specific operation. This change would simply give growers such as Jon the option to apply for a special permit for marijuana cultivation.

Dana pointed out the "quirk" of the current Marijuana Retail Overlay District is that it allows retail and manufacturing, but not cultivation.

Jon stressed the viability of the potential business, noting the projected revenue for the town being approximately \$100,000. Jon also noted that marijuana cultivation was inherently organic, and about as clean a type of economic development you can have.

Jon noted that the zoning allows for the SPGA to require odor mitigation, and that this would not change. Jon also noted that the proposed change would not expand indoor cultivation and would allow him to expand his research into extractions and medical applications of the product.

Dana asked why research was not specifically included in the petition. Jon answered that since the MA Cannabis Control Commission does not have a specific category for research, that this would fall under the regulations for cultivation. Jon clarified the difference between testing and research.

Gunnar gave his opinion that this is a good opportunity for the Town to increase revenues. Gunnar said the proposed location was good as long as the environmental impact can be well managed so as to not affect wetlands. Gunnar asked what the likelihood was that other growers would utilize the potentially re-zoned district.

Jon stated that the majority of the district in question is wetlands, with 100 ft buffer zones. The maximum development allowed would be two parcels. (This is the minimum needed for the zoning change). Jon would potentially be able to operate one of these parcels.

Ryan asked about the security needed for an operation of this size. Jon characterized the requirements as stringent, noting that there have been no security issues at his current farm.

Gunnar asked if it would be possible to divide up the two parcels, increasing ownership.

Jon answered that any farm would need 6 acres minimum and pointed out that any special permits for marijuana cultivation would be granted or denied under the authority of the PB.

Aaron Dubois, attorney for Jon Piasecki, reiterated that special permits for cultivation would be granted by the PB. Aaron clarified that the petition to change would not be spot zoning, as the proposed district would allow for at least two separate farms. He continued, noting that the density of the area will be controlled by the PB.

Gunnar asked if site can be positioned in such a way as to allow natural vegetation to provide screening from the road. Jon noted that the zoning bylaws allow the PB to mandate screening for a special permit.

No members of the public appeared to speak against the proposed zoning change.

**Motion:** With no further comment from the PB or those present, Dana asked for a motion to recommend to the Select Board that the Citizens' Petition to rename the current Marijuana Retail Overlay District the Marijuana Overlay District, with other related changes to the zoning as proposed in the petition, be included in the warrant for the Annual Town Meeting. Sue motioned, Andrew seconded. **Roll Call Vote** - Ryan - yes, Sue - yes, Gunnar - yes, Andrew - yes, Dana - yes.

Jon thanked the PB for their time and consideration.

With no further business, Dana asked for a motion to close the Public Hearing. Sue motioned to close, Gunnar seconded. The motion passed 5-0, closing the Public Hearing at 8:04 pm.

Respectfully submitted,  
Katy Bixby

On behalf of Sue Coxon, Clerk